

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:13-cr-00079-MR-DLH**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**(2) GREGORY RAY DEHART;**

**(4) JEFFREY KIRKLAND;**

**(8) CARLOS ALVARADO MENDOZA;**

**(10) JOHN LOUIS PIVONKA; and**

**(11) TOMMY RAY SISK,**

**Defendants.**

**ORDER**

**THIS MATTER** is before the Court on the motions to continue filed by Defendants Gregory Ray Dehart, Jeffrey Kirkland, Carlos Alvarado Mendoza, and John Louis Pivonka [Docs. 129, 130, 131, 132]. Defendant Tommy Ray Sisk moves to join in these motions to continue [Doc. 133].

On December 3, 2013, the above-referenced Defendants were charged along with several other co-defendants with, *inter alia*, conspiracy to distribute and to possess with intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 846. [Doc. 3]. These Defendants are currently scheduled for trial during the May 7, 2014 trial term.

The Defendants now move for a continuance of the trial date, citing the voluminous discovery produced and the need for additional time to review that discovery and to prepare for trial. The Government does not oppose the requested continuance.

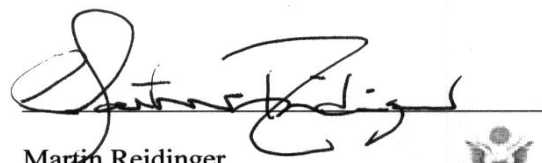
The Court finds that this case should be continued. If the requested continuance were not granted, counsel would be denied “the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.” 18 U.S.C. § 3161(h)(7)(B)(iv).

For the reasons stated herein, the ends of justice served by the granting of the continuance outweigh the best interest of the public and the Defendants in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A).

**IT IS, THEREFORE, ORDERED** that the Defendants’ motions [Docs. 129, 130, 131, 132, 133] are **GRANTED**, and Defendants Gregory Ray Dehart, Jeffrey Kirkland, Carlos Alvarado Mendoza, John Louis Pivonka, and Tommy Ray Sisk are hereby **CONTINUED** from the May 7, 2014 term in the Asheville Division.

**IT IS SO ORDERED.**

Signed: April 29, 2014

  
Martin Reidinger  
United States District Judge

